

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SHAVONDA HAWKINS, on behalf of
herself and all others similarly situated,
Plaintiff,
v.
THE KROGER COMPANY,
Defendant.

Case No.: 3:15-cv-2320-JM-AHG

ORDER:

**(1) SETTING TELEPHONIC
STATUS CONFERENCE;**

**(2) SETTING DEADLINE TO FILE
DISCOVERY STATUS REPORT; and**

**(3) EXTENDING PLAINTIFF'S
DEADLINE TO FILE MOTION FOR
CLASS CERTIFICATION**

The Court held a Telephonic Status Conference on October 30, 2019 to monitor Defendant's progress in complying with the Court's Order compelling certain Interrogatory responses and document production and issuing monetary sanctions ("the Sanctions Order"). *See* ECF Nos. 72, 77, 80. Defendant has still failed to produce any documents beyond the seventeen documents it had produced at the time Judge Major issued the Sanctions Order on September 16, 2019. As discussed during the conference, the Court understands to an extent why Defendant needs more information from third-party suppliers before it can comply fully with the Sanctions Order. Nonetheless,

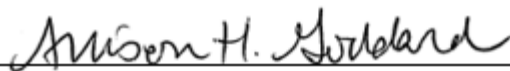
1 Defendant's representation that it is making a good-faith effort to comply is starkly at
 2 odds with its failure to produce a *single* additional document in the 45 days since the
 3 Sanctions Order issued.

4 To continue to monitor Defendant's progress in making the compelled productions,
 5 the Court sets another Telephonic Discovery Status Conference for **November 13, 2019**
 6 at **1 PM**. Counsel must call the chambers teleconference line at **1-877-873-8018** and use
 7 **8367902** as the access code to join the conference. In preparation for the conference, by
 8 **November 12, 2019** at **1 PM**, Defendant must lodge a Discovery Status Report with the
 9 Court by email at efile_goddard@uscourts.gov. The Report must provide the status of
 10 Defendant's compliance with **each** discovery item compelled, in whole or in part, by the
 11 Sanctions Order.¹ Additionally, Defendant must ensure it verifies any currently
 12 unverified discovery responses or supplemental responses it has provided to Plaintiff.

13 Finally, Defendant's delayed discovery production necessitates an extension of
 14 Plaintiff's deadline to file a motion for class certification from December 6, 2019 to
 15 **January 21, 2020**. All other deadlines set forth in the Scheduling Order (ECF No. 58)
 16 shall remain in place for now.

17 **IT IS SO ORDERED.**

18 Dated: November 1, 2019

19 
 20 Honorable Allison H. Goddard
 21 United States Magistrate Judge
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27 ¹ The discovery items to which Judge Major compelled Defendant's responses include
 28 Plaintiff's Requests for Production Nos. 1, 2, 4, 5, 6, 7, 8, 10, 11, 14, 15, 18, 20, 24 and
 25 in whole and Request for Production No. 3 in part. *See* ECF No. 72 at 33-34.